

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

2311 RACING LLC d/b/a 23XI RACING and  
FRONT ROW MOTORSPORTS, INC.,

Plaintiffs,

v.

NATIONAL ASSOCIATION FOR STOCK  
CAR AUTO RACING, LLC and JAMES  
FRANCE,

Defendants.

**CONSENT MOTION TO ENTER  
STIPULATED INJUNCTION**

Civil Action No. 3:24-cv-00886-FDW-SCR

NOW COME Plaintiff 2311 Racing LLC d/b/a 23XI Racing (“23XI”) and Defendants National Association for Stock Car Auto Racing, LLC and James France moving the Court to enter the Stipulated Preliminary Injunction attached hereto as Exhibit 1 and submitted to the Court through Cyberclerk.

In support hereof, 23XI and Defendants provide the following:

1. In light of the Court’s Orders of December 18, 2024 (Dkt. 74), December 20, 2024 (Dkt. 83), and December 23, 2024 (Dkt. 89), 23XI and Defendants hereby stipulate and agree that the Court may enter the same preliminary injunction with respect to the transfer of a charter signed by Stewart-Haas Racing LLC to 23XI as the Court previously ordered with respect to Front Row Motorsports.
2. Defendants make this stipulation and agreement solely for purposes of judicial economy and subject to the Court’s statements that it retains the equitable power to “unwind” the purchase of the Stewart-Haas Charters (e.g., Dkt. 83 at 1; Dkt. 89 at

10) should Defendants prevail on their pending appeal or on the merits in the litigation.

3. Defendants' stipulation and agreement is also subject to 23XI's agreement, given here, that it will not make any argument that NASCAR's stipulation and agreement to entry of the aforementioned preliminary injunction in any way deprives the Fourth Circuit of jurisdiction over, or otherwise impairs the Fourth Circuit's ability to hear for any reason, Defendants' appeal of the grant of the preliminary injunction regarding to the transfer of a charter signed by Stewart-Haas Racing LLC to 23XI.
4. Defendants' stipulation and agreement is also subject to 23XI's agreement, given here, that NASCAR's stipulation and agreement to entry of the aforementioned preliminary injunction is without prejudice to and has no impact on Defendants' right to assert counterclaims.

Now therefore, 23XI and Defendants move the Court to enter the Stipulated Preliminary Injunction attached hereto as Exhibit 1 and submitted to the Court through Cyberclerk.

Dated: December 24, 2024

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **CONSENT MOTION TO ENTER STIPULATED INJUNCTION** was electronically filed using the Court's CM/ECF system, which will automatically send notice of this filing to counsel of record for all parties, including:

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